# FILED

FEB - 4 2019

AO 470 (12/03) Order of Temporary Detention

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### UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

USA vs.		§ ORDER OF TEMPORARY DETENTION § PENDING HEARING PURSUANT TO § BAIL REFORM ACT		
(1) Benja Defendant	min Bogard	§ BAIL REFORM ACT § Case Number: SA:19-M -00131(1)		
	Upon Motion of the	GOVERNMENT	, it is OR	DERED that a
	PRELIM	INARY / DETENTION HEAR	RING	
is set for	Fel	pruary 07, 2019	* at	03:30 P M
before	U.S. M	AGISTRATE JUDGE Henry J	. Bemporad	1 tme
in the	East Cesar E. Chavez Boulevard, San Antonio, TX			
	Pending this hearing, the de	Location of Judicial Officer efendant shall be held in custody	by (the United St	tates Marshal)
(				)
and produ	uced for the hearing.			
	February 04, 2019	Han J.	Bund	
	Date	HENRY () BENIPO UNITED STATES	RAD MAGISTRATE .	JUDGE

<sup>\*</sup> If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or or attempt to threaten, injure, or intimidate a prospective witness or juror.

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

USA	§		
vs.	§ §	NO:	SA:19-M -00131(1)
(1) Benjamin Bogard	<b>§</b> §		

#### WAIVER OF PRELIMINARY HEARING

I understand that I have been charged with an offense in a criminal complaint filed in this court, or charged with violating the terms of probation or supervised release in a petition filed in this court. A magistrate judge has informed me of my right to a preliminary hearing under Fed. R. Crim. P.5, or to a preliminary hearing under Fed. R. Crim. P. 32.1.

I agree to waive my right to a preliminary hearing under Fed. R. Crim. P.5 or Fed. R. Crim. P. 32.1.

Date	Defendant
	Name of Attorney for Defendant (Print)
Date	Signature of Attorney for Defendant

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

USA	\$ §
	§
VS.	§ NO: SA:19-M -00131(1)
	§
(1) Benjamin Bogard	§

#### **WAIVER OF DETENTION HEARING**

At the initial appearance, the government requested that I be detained without bond pending trial pursuant to Title 18 U.S.C. Section 3142(f).

I am aware of my right to a detention hearing and to require the government to meet its burden of proving that no conditions of release exist which will reasonably assure my appearance in court and the safety of the community. I know that if I waive my detention hearing, I will remain in custody pending trial. By signing this Waiver of Detention Hearing I acknowledge that I have no questions and understand my rights and the consequences of waiving those rights, and agree to be detained without bond pending trial.

Date	Defendant
	Name of Attorney for Defendant (Print)
Date	Signature of Attorney for Defendant